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LANSING



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December 13, 2012

TO: Natural Resources Commission
Department of Natural Resources Management Team

FROM: Trevor VanDyke, Legislative Liaison and Policy Advisor

SUBJECT: Department of Natural Resources Legislative Update

Legislative Transfer 2013 – Crisp Point

The Crisp Point tract contains 3,810 acres in the dual certified state forest system which currently supports the timber industry and forest products industry. It also includes 2.5 miles of snowmobile trail #8 connecting Grand Marais to Paradise which is a heavily used route and beneficial to the local economies. Acquisition of this property will also provide protection of and public access to 12,200 feet of Lake Superior Shoreline and public access to 93 acre Brown's Lake.

- The Senate and House Appropriations Committee's approved this transfer.

HB's 6007-6012 Severance Package – Rep. Matt Huuki

The legislation would create a Nonferrous Metallic Minerals Extraction Severance Tax Act. There would be a 2.75% severance tax levied on the value of certain minerals extracted from the earth in the state. Generally speaking, a taxpayer subject to the mineral severance tax would be exempt from taxes under the General Property Tax Act, State Income Tax Act, General Sales Tax Act, and the Use Tax Act. Revenue from the tax would be distributed 65% to local units of government and 35% to a newly created Rural Development Fund for programs to promote the sustainability of land-based industries and support infrastructure in rural communities.

- This legislation is before the Governor for consideration.
- The administration supports this legislation.

SB 1031- Recreational Municipal Forests – Sen. Tom Casperson

The bill would amend Part 527 (Municipal Forests) of the Natural Resources and Environmental Protection Act to include a recreational purpose among the authorized uses of municipal forestland.

- This bill is before the Governor for consideration.
- The administration supports this legislation.

SB 996 - Indemnity for livestock – Sen. Tom Casperson

The bill creates a new act to provide for indemnification of livestock that are killed by wolves, coyotes and cougars. It makes the DARD the lead agency for all indemnification payments

- The bill is before the Governor for consideration.
- The administration supports this legislation.

SBs 1261-1265 – Michigan Civilian Conservation Corps (MCCC)– Senators Goeff Hansen, Tom Casperson, Phil Pavlov, Rebekah Warren, & Mike Green respectively

The package of bills seeks to create a new chapter of the MCCC Act to allow the Department to expand the MCCC program outside of state government. The bills would create a steering committee and directs the committee to create partnership with an entity or incorporate a non-profit to carry out the functions of the new MCCC. The bills also update the purposes of the MCCC to include conservation and recreational work and require the program to include field-based experiences and training. Modernizes the work training program offerings of the MCCC to include: wildlife enhancement, trail restoration, surveying, and restoration of sites; it updates age and compensation requirements for participants.

- The bills are before the Governor for consideration.
- The administration is supportive of this legislation.

SB 1020 – ORV use of shoulders of highways – Sen. Tom Casperson

The bill would amend Part 811 (Off-Road Recreation Vehicles) of the Natural Resources and Environmental Protection Act to do the following and more:

1. Require MDOT, by May 1, 2013, to authorize the operation of ORVs on the maintained portion of a State trunkline highway, other than an interstate highway, on all or part of at least 10 highways in the Upper Peninsula and at least five highways in eligible counties in the Lower Peninsula.
 2. Permit the county board of commissioners of an eligible county, after December 31, 2013, to adopt an ordinance authorizing the operation of ORVs on the maintained portion of a State trunkline highway, other than an interstate highway.
 3. Prescribe procedures by which MDOT could close a highway to ORV operation.
 4. Require the Department of Natural Resources (DNR) to designate at least two days each year as free ORV-riding days, during which ORV licensure would not be required.
 5. Provide that ORV licensure would not be required if the vehicle were licensed in another state and operated in Michigan only in Gogebic, Iron, Dickinson, and Menominee Counties south of U.S.-2.
- The bill is before the House Committee on Natural Resources, Tourism, and Outdoor Recreation.
 - The administration is opposed to this legislation.

HB 5415 - Establish Father Marquette national memorial and Mackinac straits area museum advisory board – Rep. Frank Foster.

The bill establishes an 11-member Father Marquette national memorial and Mackinac straits area museum advisory board within the DNR. The board would provide a focal point for various community groups concerned with replacing and expanding the museum. The state would have to fund the creation of a new museum and we are unaware of any intent to do so at this point.

- The bill is referred to the Governor for consideration.
- The administration is neutral on this legislation.

SB 1238 – Modify Natural Resources Trust Fund – Sen. Darwin Booher

The bill would amend Section 1902 of the Natural Resources and Environmental Protection Act to require the DNR to report on the status of each approved project as well as provide further criteria for the board to follow.

- The bill is before the Governor for consideration.
- The administration is neutral on this legislation.

SB 1280 – Natural Resource Surplus Land - Sen. Tom Casperson

The bill would amend the Natural Resources and Environmental Protection Act to increase the Land Exchange Facilitation Fund balance cap from \$2.5 million to \$25 million. The bill also states that the DNR is to work with an applicant who seeks to purchase surplus land all the way to the final decision before DNR can work with another applicant for the purchase of the same land.

- The bill is before the Governor for consideration.
- The administration is neutral on this legislation.

HB 5883 – Flexibility in establishing Dip Net season – Rep. Joel Johnson

The bill would eliminate conditions under which hand nets, dip nets, set over, nets, trammel nets, and hoop nets could be used to take fish. In lieu of these specific conditions, the DNR would be given authority to issue an order regulating the taking of fish with any type of net. The season is statutorily limited to begin no later than April 1. Last year the type of fish that this season is for moved up the river in March due to a warm spring and the season was missed.

- The bill is before the Governor for consideration.
- The administration supports this legislation.

SB 1276 – Prohibit the designation of biodiversity areas – Sen. Tom Casperson

This bill would prohibit the DNR and the NRC from promulgating or enforcing a rule or an order that designates or classifies an area of land specifically for the purpose of achieving or maintaining biological diversity. The bill also deletes the conservation of biological diversity from the DNR's duties regarding forest management, and requires the DNR to balance its management activities with economic values.

- The bill is before the House Committee on Natural Recreation, Tourism, and Outdoor Recreation.
- The administration has not taken an official position on this legislation at this time.

SB 1348 – Wildlife Violators Compact – Sen. Howard Walker

The bill would amend the Natural Resources and Environmental Protection Act to modify enforcement provisions of the wildlife violator compact.

- The bill is before the House Committee on Natural Recreation, Tourism, and Outdoor Recreation.
- The administration supports this legislation.

HB 4969, 4970 & 4302 –Rep. Frank Foster, Rep. Matt Huuki and Rep. McBroom (respectively) and SB 1057-1062 – Senators Booher, Meekhof, Booher, Booher, Moolenaar, and Green (respectively) - Revise the Commercial and Qualified Forest programs

These bills would make substantial changes to the Commercial and Qualified Forest programs in an attempt to encourage the transfer of smaller, non-industrial owned parcels of land from the Commercial Forest program to the Qualified Forest program and increase enrollment in the Qualified Forest program. These bills would amend some statewide forest administrative authorities the Department of Agriculture and Rural Development (DARD).

- This legislative package is before the full House for consideration.
- The administration supports a majority of these bills with concerns of the funding mechanism.

SB 1340 – Increase penalty for illegal taking of a trophy whitetail – Sen. Philip Pavlov

The bill would amend the Natural Resources and Environmental Protection Act to increase the penalty of taking a trophy whitetail. In addition to the current \$1,000 statutory restitution for deer, the bill would add the amount resulting from entering the gross score into this formula: $[(\text{Gross score} - 100)^2 \times \$1.65]$. The bill also increases the loss of license penalty by three years for first offense and 7 years for a subsequent offense.

- The bill is before to the House Committee on Natural Resources, Tourism, and Outdoor Recreation.
- The administration has not taken a formal position on the legislation at this time.

SB 1341 – Increase penalties for trespassing – Sen. Tom Casperson

The bill would amend the Natural Resources and Environmental Protection Act if an individual is guilty of a misdemeanor a fine of \$250 to \$750; and for a subsequent violation a fine of \$500 to \$1,500 to increase the penalty of an individual who enters or remains upon the property of another person to engage in any recreational activity or trapping on that property without the consent of the owner or his or her lessee or agent. The penalty under this bill would increase to \$750 or actual property damages.

- The bill is before to the House Committee on Natural Resources, Tourism, and Outdoor Recreation.
- The administration supports this legislation.

SB 1350 - Include wolf on the game species list – Sen. Tom Casperson

The bill would amend Section 40103 of the Natural Resources and Environmental Protection Act to include wolf as a game species in order to use hunting as a management tool to minimize negative wolf encounters. This bill would give the Natural Resource Commission the authority to issue orders under section 40113a establishing annual wolf hunting seasons.

- The bill is before the Governor for consideration.
- The administration is supportive of this legislation.

If you would like to learn more about these and other bills, you can access the Michigan Legislature website at www.legislature.mi.gov.